

## AMERICAN SINGLE MALT WHISKY EARNES ITS OWN STANDARD OF IDENTITY



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By: Regulated Products Section Chair [Richard M. Blau](#)

The Alcohol and Tobacco Tax and Trade Bureau (TTB) will issue its [final rule](#) establishing a new “American Single Malt Whisky” category, a move that will help protect and promote this growing line of specially created distilled spirits. The document is scheduled to be published in the Federal Register tomorrow, December 18, 2024, and available online at <https://federalregister.gov/d/2024-29938>, and on <https://govinfo.gov>.

Key provisions of the American Single Malt Whisky Standard include:

- fermented mash of 100% malted barley produced in the U.S.;
- distillation proof of 160 or less, distilled at the same distillery in the U.S.;
- stored in used, charred new, or uncharred new oak barrels, with a 700-liter maximum capacity and only stored in the U.S.;
- no neutral spirits permitted; and
- no allowable coloring, flavoring, or blending materials permitted, except for caramel coloring that is disclosed on the label.

The final rule also adopted a standard for the “Straight American Single Malt Whisky,” requiring that the liquor be aged for a minimum of two years to earn the name.

As you might expect, these special trade designations don’t just happen. Two key trade associations, the American Single Malt Commission (ASMWC) and the Distilled Spirits Council of the United States (DISCUS), were instrumental in designing the concept and lobbying the federal government for its adoption. They also worked through DISCUS’ Spirits United to generate more than 1,000 letters from members of the alcohol beverage industry and the public at large to TTB Administrator Mary Ryan urging immediate action to finalize the official standard for the American Single Malt Whisky category. The campaign kicked off following a joint [letter](#) DISCUS and the ASMWC sent to TTB regarding the issue.

These “Standards of Identity” are coveted by distillers, much like “Champagne” is viewed by French winemakers and “Reggiano Parmesan” is seen by Italian cheese makers to protect the unique nature of those products. As Chris Swonger, president of DISCUS, recently noted: *“Having this formal definition is going to protect the integrity of American Single Malt Whisky and drive experimentation, creativity and innovation in this popular category.”*

TTB's final rule becomes effective on January 19, 2025.

To learn more, contact the GrayRobinson national [Alcohol Law Team](#) at [alcohollaw@gray-robinson.com](mailto:alcohollaw@gray-robinson.com).

**[Richard M. Blau](#)** leads the GrayRobinson national Alcohol Law Team, focusing on the laws that govern the production, importation, marketing, distribution, and sale of alcohol beverages throughout America. Richard and his colleagues focus on the rules, regulations, and business practices that govern the marketing, sale, and consumption of international importers and domestic producers, processors and regional distributors, and retailers. Richard has achieved numerous peer-related accolades for his legal work, including **Chambers and Partners** – Nationally ranked as “Band 1” for food and alcohol beverage law; **Best Lawyers® in America** – nationally listed for food and beverage law; and **Super Lawyers** – elected member.

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